

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

“Withdrawn from consideration” claims 4-12 are currently being cancelled, whereby Applicant reserves the right to prosecute those claims in a divisional application, if desired.

Claims 1 and 2 are currently being amended.

Claim 13 is currently being added.

This amendment and reply amends, adds and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending, adding and canceling the claims as set forth above, claims 1-3 and 13 are pending in this application for examination on the merits.

Claim Rejections – Prior Art:

In the Office Action, claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Laid-Open Patent Application JP 2001-320120 to Nidou et al. This rejection is traversed with respect to presently pending claims 1-3, for at least the reasons given below.

Presently pending independent claim 1 now recites that “a lowermost layer of the laminated layers has a resonator width of 50 μm or more.”

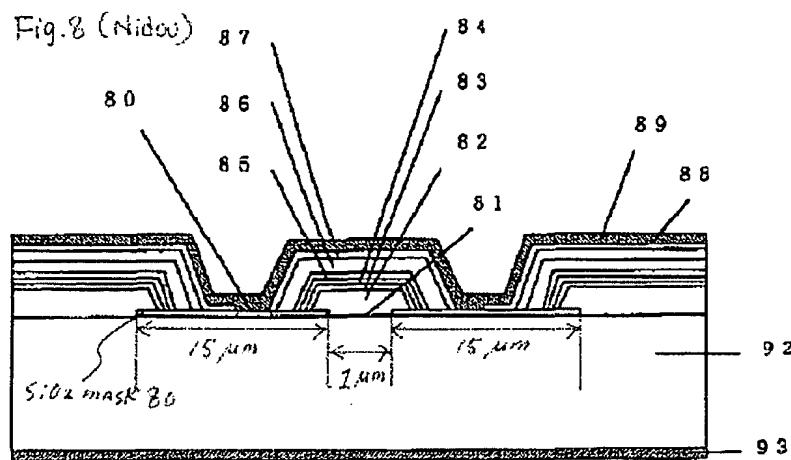
On page 20, lines 10-11 of the specification, it describes that “[T]he distance between the pair of device separation slots of the type A and the type B were 300 μm and 50 μm , respectively.” On page 24, lines 15-19 of the specification, it describes that “[F]irst, a SiO₂ insulating film with a thickness of 300 nm was ... and then stripe-shaped masks 613 made of SiO₂ with a width of 20 μm were formed by a light-exposure technique with a pitch of 300 μm (FIG. 6A).”

Additionally, page 7, lines 1-2 of the specification describes that “[T]he side surfaces of the aforementioned laminated layers become separating surfaces for separating the laser devices from the wafer.”

From the above descriptions in the specification, it is clear that the distance between the pair of device separating slots is the same as the resonator width of the lowermost layer of the laminated layers.

Turning now to the cited art of record, Nidou fails to disclose or suggest the features of claim 1 which recite that “a lowermost layer of the laminated layers has a resonator width of 50 μm or more.”

In particular, Nidou describes that the laminated layers are selectively grown using SiO_2 masks. For example, in Example 6 and Fig. 8 of Nidou, a clad layer 82 is formed on SiO_2 masks 80, each of which has a width of 15 μm , and the distance of the masks is 1 μm , as shown below.



In the obtained inclined laminated layers in Nidou, the width of laminated layers is at most 31 μm (15 μm + 1 μm + 15 μm). In the Office Action, Nidou is relied upon for disclosing an inclined laminated layers having a width of 31 or less, which does not satisfy the specific features recited in presently pending independent claim 1. For at least this reason, Nidou does not anticipate presently pending independent claim 1.

New Claim 4:

Regarding new independent claim 4, support for that claim may be found on paragraph [0066] of the specification; specifically, “[T]heir mesa portions both had a width

of 10 μm ." Turning now to the cited art of record, Nidou fails to disclose or suggest the features of new claim 4 which recite that "the active layer has a width of about 10 μm ."

In more detail, Nidou does not describe the specific width of an active layer in the Example described in that document. Furthermore, Nidou teaches away from new claim 4 by stating that "the fundamental transverse mode of laser light may be successfully controlled by using a semiconductor laser having an active layer of a width of around 1 μm " (see paragraph [0019] of Nidou). Therefore, Nidou fails to disclose, teach or suggest a semiconductor laser having an active layer of a width of about 10 μm . For at least this reason, new independent claim 4 patentably distinguishes over Nidou.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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